



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Paul A. DiTullio et al.
SERIAL NUMBER : 10/771,949 EXAMINER : Richard a. Schnizer
FILING DATE : February 3, 2004 ART UNIT : 1635
FOR :
GENETIC MANIPULATION OF SPERMATOGONIA

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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TranXenogen, Inc., owner of an undivided interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent No.6,686,199. TranXenogen, Inc. hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned Applicant's representatives file this Terminal Disclaimer under 37 C.F.R. § 1.34(a). A check (#23187) for \$65.00 for terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included. The Commissioner is authorized to charge any additional fees or make any credits to the account of the undersigned, Deposit Account No. 50-0311, Ref. No. 21578-002CON.

Respectfully submitted,



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Dated: October 5, 2006

TRA 2206778v.1